

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
TAKUEI ISHIKAWA ET AL.) : Examiner: Lam S. Nguyen
Application No.: 10/549,674) : Group Art Unit: 2853
Filed: September 19, 2005) :
For: INK-JET PRINTING METHOD)
AND INK-JET PRINTING) :
APPARATUS) : August 25, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO ELECTION-OF-SPECIES REQUIREMENT

Sir:

Applicants respectfully traverse the election-of-species requirement set forth in the Office Action dated July 25, 2006.

In the Office Action, it was alleged that the inventions of Species I, drawn to “an ink jet printing method in which a width of a scanning area is controlled in accordance to [*sic, with*] the ink or liquid permeability,” and Species II, drawn to “an ink jet printing method in which a width of a scanning area is controlled in accordance to [*sic, with*] the number of ejection orifices,” are patentably distinct because the claimed limitations are mutually exclusive.

Applicants submit that the claimed limitations are not mutually exclusive. For example, independent Claim 1 recites that ink and reacting liquid have different permeability, and the width of the scanning area of a liquid having relatively high permeability is made longer than, or equal to, that of the scanning area of a liquid having relatively low permeability. Thus, according to Claim 1, the widths of the scanning areas are related to permeability. Claim 8 depends from Claim 1 and recites that the row of ink ejection orifices includes (n) ejection orifices and the row of reacting liquid ejection orifices includes (n-a) ejection orifices. Thus, according to Claim 8, the number of ejection orifices differs for the two types of liquid having different permeabilities (hence, the number of ejection orifices used is related to the permeability of the liquid being ejected). Thus, according to Claim 8, the widths of the scanning areas are related not only to permeability but also to the number of ejection orifices.

Thus, as shown by Claim 1 and Claim 8, the width of a scanning area may be related to permeability, or to both permeability and number of ejection orifices. Accordingly, Applicants understand that the features intended to define the alleged Species identified by the Examiner are not mutually exclusive.

According to independent Claims 2 and 5-7 and dependent Claims 9-11 (as with Claim 1), width of the scanning area is related to permeability, but these claims do not exclude the possibility that width of the scanning area could be related to number of ejection orifices. (As an example, Claim 2 recites that the width of a scanning area of the reacting liquid ejection orifices (--the reacting liquid having a lower permeability than that of the ink--) is made shorter than the width of the scanning area of the ink ejection orifices.)

According to independent Claim 4 (as with dependent Claim 8), width of the scanning area is related to permeability and to the number of ejection orifices. (For example, Claim 4 recites a row of (n) ink ejection orifices for ejecting ink and a row of (n-a) reacting liquid ejection orifices for ejecting a reacting liquid having a lower permeability than that of the ink, and that the scanning area of the reacting liquid ejection orifices has a width corresponding to the (n-a) orifices and the scanning area of the ink ejection orifices has a width corresponding to the (n) orifices.)

Independent Claims 12-18 correspond (at least with respect to the above-discussed recitations) to independent Claims 1-7.

Independent Claim 19 recites reacting liquid having a permeability lower than that of ink, and that the number of orifices in the reacting liquid ejection row is less than the number of orifices in the ink ejection row, but does not include subject matter pertaining to the width of scanning areas. Claim 19 does not exclude the possibility of the width of a scanning area being related to permeability and/or number of ejection orifices.

(For the purpose of clarification of the claimed subject matter, Applicants note that according to Claims 1-18 one of a scanning area for ink and a scanning area for a reacting liquid is an area for performing printing in an overlapping state and the other is an area for performing printing without overlapping, under the condition that the scanning area for ink and the scanning area for a reacting liquid are adjacent to each other in a feeding direction. For example, in Claims 2 and 3, the scanning areas for ink are overlapped and the scanning areas for the reacting liquid are not overlapped. Claim 2 and Claim 3 differ in how to define a width of overlapping.

In Claim 2, the width of overlapping is defined as “a width of a predetermined amount.” On the other hand, in Claim 3, the width of overlapping is defined as “a width corresponding to (a) ejection orifices.”)

In view of the subject matter of the claims, as discussed in part above, Applicants submit that the election-of-species requirement, as best understood, is improper, and that all of the pending claims are generic to both species. Accordingly, withdrawal of the election-of-species requirement is respectfully requested.

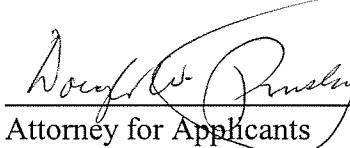
Further to the above arguments, Applicants respectfully submit that the subject matter of all the claims is closely related and that a proper search of any of the claims would likely include a search of the other claims. Thus, it is submitted that all of the claims can be searched simultaneously and that a duplicative search with possibly inconsistent results may occur if the election-of-species requirement is maintained. Therefore, in the interest of economy, both for the Office and the Applicants, withdrawal of the election-of-species requirement is respectfully solicited.

Nevertheless, in order to comply with the requirements of 37 C.F.R. §1.143, Applicants provisionally elect Species I. Applicants submit that Claims 1-19 read on Species I, and that Claims 1-19 are generic to Species I and II.

Favorable consideration and prompt passage to issue of the subject application are respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. Office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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